

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

2008 JAN 29 PM 3:41

Peter Christian Roper  
3300 Decatur Blvd, #10670  
Las Vegas, Nevada 89102

SS

Attorneys for Plaintiff

1.06-CV723

GR

UNITED STATE DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Peter Christian Roper  
Peter Christian Roper  
3300 Decatur Blvd #10670  
Las Vegas, Nevada 89102  
Plaintiff (S)

Peter Christian Roper  
MOTION TO DENY GARDEN  
MOTION TO DISMISS  
Case No. DAMAGES  
1.06 - CV 723  
JURY TRI

-vs-

Title 35, Section 271

Garden Ridge Corp.  
19411 Atrium Place Ste. 170  
Houston, TX 77084  
Garden Ridge Holdings Inc.,  
Garden Ridge LP, Defendants (S)  
AND SUBSIDIARIES

Patent Infringement, Copyr  
Infringement Title 17 U.S.  
Garden Ridge Investments Inc.,  
THREE JUDGE COURT  
~~1.06 - CV 723~~  
Garden Ridge Pottery  
Jury Trial Requested

PETER CHRISTIAN ROBER, OWNER OF U.S.  
PATENT 4,713,909 'IMPOOR AND OUTDOOR CLOTH FARM',

5 (COPYRIGHTS TXUG 9-514, TXU  
REQUEST THE U.S. DISTRICT COURT, Judges TO DENY  
GARDEN RIDGE MOTION TO DISMISS, AND DENY DA  
BECAUSE GARDEN RIDGE ETAL CLEARLY HAVE INFRINGED  
HIS PATENT AND COPYRIGHTS HEREBY REQUEST

Jury Trial - Peter Christian Roper

Peter CHRISTIAN ROBER  
 3300 DECATUR BLVD.  
 #10670, Las Vegas  
 NEVADA 89102 USA

Attorneys for Plaintiff

UNITED STATE DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PETER CHRISTIAN ROBER  
 Peter Christian Roper

PETER CHRISTIAN ROBER'S

MOTION TO DENY GARDEN RIDGE'S  
 MOTION TO DISMISS, TO DENY  
 Case No. DAMAGES

Plaintiff (S)

1:06 - CV 723 JURY TRIAL

-vs-

Title 35, SECTION 271

Garden Ridge Corp.

Patent Infringement, Copyright

19411 Atrium Place Ste. 170

Infringement Title 17 U.S.C.

Houston, TX 77084

Garden Ridge Investments Inc.,

Garden Ridge Holdings Inc.,

THREE JUDGE COURT

Garden Ridge LP, Defendants (s)

Judge Gregory M. Sleet  
 Garden Ridge Pottery (GMS)

AND SUBSIDIARIES

JURY TRIAL Requested

PETER CHRISTIAN ROBER, U.S. Citizen, OWNER OF U.S.

PATENT 4,713,909 'INDOOR AND OUTDOOR CLOTH FARM' AND

5 COPYRIGHTS TX 69-514, TX 69-515

Request THE U.S. DISTRICT COURT, Judges TO DENY

GARDEN RIDGE MOTION TO DISMISS AND DENY DAMAGES  
 BECAUSE GARDEN RIDGE ETAL CLEARLY HAVE INFRINGED

Peter CHRISTIAN ROBER is U.S. Patent 4,713,909 AND  
 5 COPYRIGHTS BY MAKING AND SELLING FLORAL SPONGE FARM

Those Pots and Products in His US Patent 4,713,969  
 EXHIBIT Page AND Copyright & 469-514, EXHIBIT  
 Page. Peter CHRISTIAN Roper request GARDON  
 Ridge compensate Him \$10 million  
 within Title 35 U.S.C. Sec. 271 For  
 Patent INFRINGEMENT for 17 years, FROM  
 AND COPYRIGHT INFRINGEMENT WITHIN  
 Title 17, Sec. 504 FOR 29 years FROM 1976-  
 2007. Title 35 U.S.C. 271 Allows THE Payment  
 of TRIPLE DAMAGES For PATENT INFRINGEMENT.  
 GARDON Ridge HAS DISCRIMINATED IN  
 NOT paying or Settling Peter CHRISTIAN Roper's  
 CLAIM; because he is NOT ABLE TO AFFORD  
 Attorney; AND has settled the CLAIM OF  
 OTHER Creditors who are ABLE TO  
 AFFORD Lawyers.

Peter CHRISTIAN Roper Request A Jury Trial  
 within the 7th Amendment TO  
 the US Constitution.

(3)

THE U.S. SUPREME COURT HAS NOW  
REQUESTED THAT THESE PATENT AND  
COPYRIGHT CASES BE REVIEWED  
EXHIBIT 1 AND THAT PATENT AND COPYRIGHT  
OWNERS BE GIVEN RIGHT TO REVIEW, HEARING  
AND DUE PROCESS WITHIN THE 14TH  
AMENDMENT.

THE U.S. COURT OF APPEALS RECENTLY  
 DENIED PAYMENT OF ANY DAMAGES TO PATENT  
 AND COPYRIGHT INFRINGERS.

TITLE 35 U.S.C. 271 AND TITLE 17 SEC. 504  
 AND ARTICLE I, SEC 8 CLAUSE 8 OF THE U.S.  
 CONSTITUTION GIVES PATENT OWNERS AND COPYRIGHT  
 OWNERS THE RIGHT TO USE LEGAL ACTION  
 TO PROTECT THEIR RIGHTS.

GARDEN RIDGE HAS MADE BILLIONS OF DOLLARS  
 PER DOZ AND BRAD STREET PAPER, EXHIBIT 3 SELLING AND MAKING  
 Floral Foam Sponges Flower Pots AND SHOULD COMPENSATE  
 Peter Christa ROPR FOR US Patent 4,773,909 AND  
 COPYRIGHT TXU 69-514.



( 10 )

## COUNT I

(14) The Plaintiff, Peter Christian Roper, Inventor and Owner of U.S. Patent 4,713,909 'Indoor and Outdoor Cloth Farm' request the Jury, The Judge, the Hearty Court to rule that ~~GARDEN RIDGE INVESTMENTS INC., GARDEN RIDGE HOLDINGS INC.~~ The Defendants, Garden Ridge Corp. pay The Plaintiff, Peter Christian Roper, \$ 10 Million Dollars ( ~~TEN~~ Million Dollars ) for infringing Peter Roper's U. S. Patent 4713909 <sup>AND U.S. COPYRIGHT # 69-514</sup> by making and selling 'Floral Foam' and 'Floral Foam Flower Pots' in more than 40 Garden Ridge Stores in 13 or more States, that is The Functional Equivalent Of 'The Means For Varying Retention' stated in Claim 1,2,3,4 of Plaintiff, Peter Roper's U.S. Patent 4713909 ( Attached as Evidence in Exhibit I, Page 19/26 ) and in Fig 9 off the Patent Description of The Flower Pot That states ' A SPONGE LINING 51 ', and in The Patent Drawings that clearly show a ' A SPONGE LINING 51 ' in Fig (9) on Page of 23 Exhibit I that is The Functional Equivalent of The ' FLORAL FOAM ' being made and sold by The Defendants, Garden Ridge Corp. in their 40 or more stores. or an amount The Court, Jury or Judge may rule necessary Compensation for this Patent Infringement violation of Title 35 U.S.C. Section 271; and Section 101 that states, " Whoever invents a new machine, manufacture, process, or improvement becomes entitled to a Patent "; and Article I Section 8, Clause 8 of The United States Constitution that states, " Congress shall have the Right to Grant to Writers and Inventors, for the Promotion of The Arts and Sciences, The Exclusive Rights to their writings and discoveries. "

Count 2.

Peter Christian Roper, owner  
of U.S. Copyright TXU-695-14  
UNITED SPACE of America ... CULTIVATION  
of Plants I request GARDEN Ridge  
Pay Him Peter Christian Roper  
\$10 million

FOR INFRINGING His Copyright  
TXU-695-14

By commercially Advertising the  
Sale of Floral Foam Sponge Flowers  
in Stores, And via Internet, in  
Nearly 40 States in 13 States and in  
Books, magazines, Catalogues, Flyers.

Peter Christian Roper  
1/25/08

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

June 5, 2007

Peter Roper  
156 Albert Ave. E.  
Apt. 20  
Las Vegas, NV 89109

RE: Roper v. Stores


Dear Mr. Roper:

The above-entitled petition for a writ of certiorari was postmarked June 2, 2007 and received June 5, 2007. The papers are returned for the following reason(s):

Your case must first be reviewed by a United States court of appeals or by the highest state court in which a decision could be had. 28 USC 1254 and 1257.

Sincerely,  
William K. Suter, Clerk

By:

  
S. Elliott  
(202) 479-3025

Enclosures

EXHIBIT L

# United States Patent [19]

Roper et al.

[11] Patent Number: 4,713,909  
[45] Date of Patent: Dec. 22, 1987

[54] INDOOR AND OUTDOOR CLOTH FARM

[56]

References Cited

## U.S. PATENT DOCUMENTS

2,669,063 2/1954 Clegg ..... 47/76

Primary Examiner—Robert E. Bagwill

Attorney, Agent, or Firm—Peter Roper; George Spector

[57]

## ABSTRACT

A farm structure for growing plants or crop in a small area or increasing an area for farming, composed of several tiers of cloth, one above another, each cloth supporting a quantity of earth in which plants are growing; water used in watering plants on the uppermost tier, dripping downward successively through at the tiers, so to water the plants in each tier; extra layers of cloth snapped under any tier for greater water retention, flood lights under each tier, giving light to plants in a tier therebelow and warming a soil thereabove, and an elevator mechanism for lowering the tiers of a large outdoor model, so that harvesting can be done more efficiently at a ground level.

4 Claims, 9 Drawing Figures

[21] Appl. No.: 363,292

[22] Filed: Mar. 29, 1982

## Related U.S. Application Data

[63] Continuation of Ser. No. 905,475, May 12, 1978, abandoned.

[51] Int. CL<sup>4</sup> ..... A01G 9/02

[52] U.S. CL ..... 47/17; 47/66

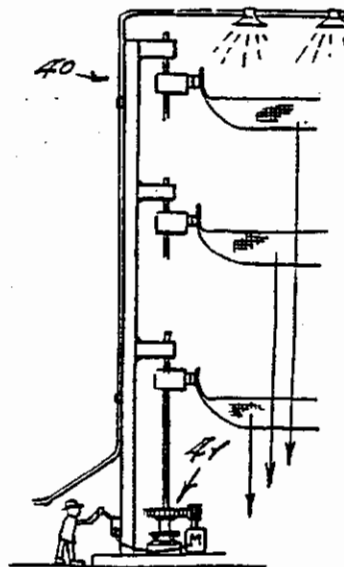
[58] Field of Search ..... 47/59-61,  
47/65, 39, 67, 78, 17, 76



EXHIBIT 173

Peter Christian Roper  
PATENT DRAWINGS.

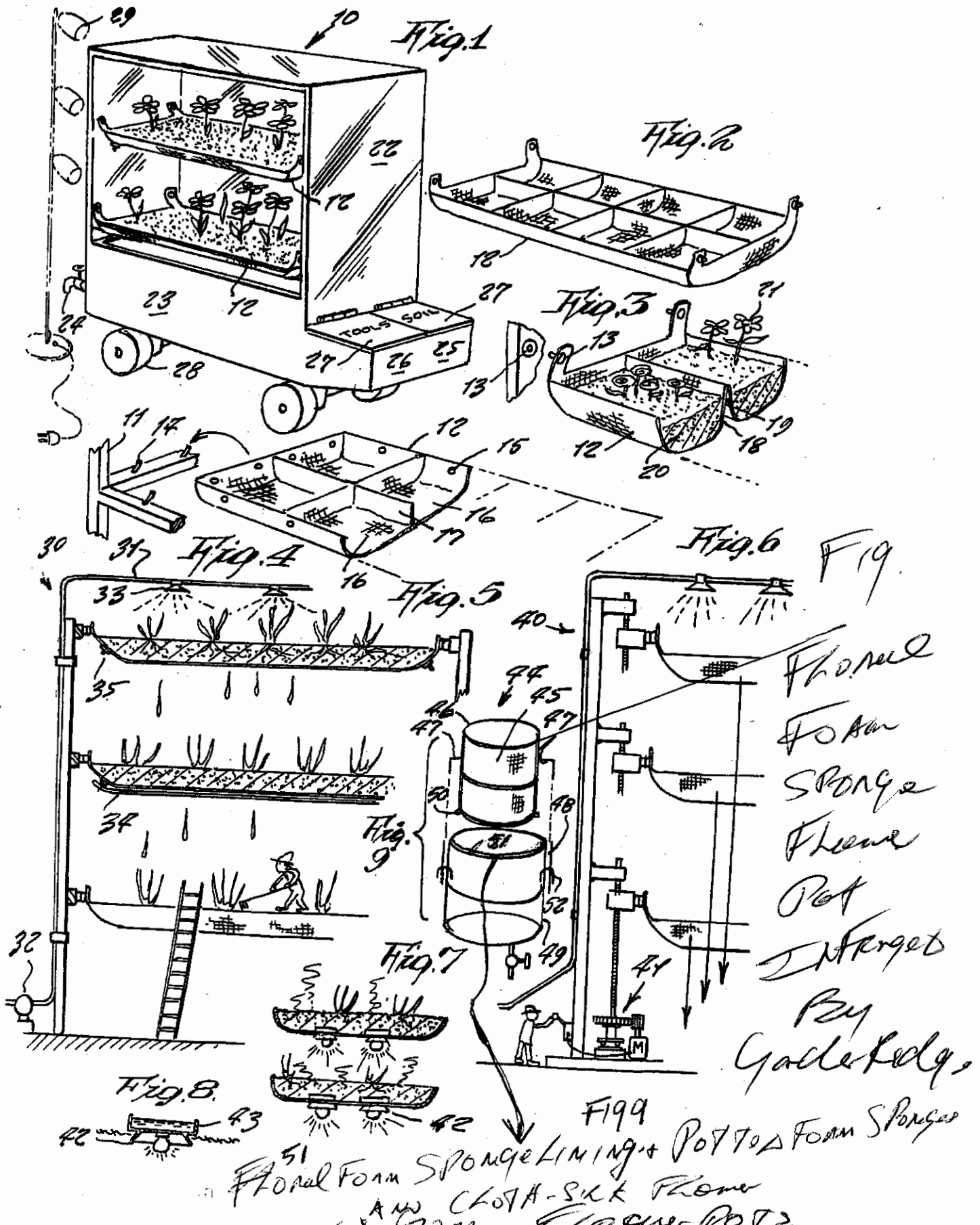
(70A)

U.S. Patent

Dec. 22, 1987

Sheet 1 of 1

4,713,909



4,713,909

1

## INDOOR AND OUTDOOR CLOTH FARM

This is a continuation of application Ser. No. 905,475, filed May 12, 1978, now abandoned.

This invention relates generally to miniature farms.

A principal object of the present invention is to provide a miniature farm in which plants are grown in tiers one above another, so to require less ground area.

Another object is to provide a miniature farm in which each tier includes a horizontal cloth holding a quantity of earth in which the plants grow, and irrigation water provided to the plants in the uppermost tier, dripping therethrough and through successive tiers therebelow, so to water all the plants in each tier with a single watering at the top.

Another object is to provide a cloth farm which may be made on either a small or large scale for indoor or outdoor installation.

Still another object is to provide a cloth farm wherein extra cloths snapped under a tier gives greater water retention in the tier, as needed by plants.

Still another object is to provide a cloth farm in which flood lights under a tier for plants therebelow also serves to give moist heat to roots of plants thereabove.

FIG. 1 is a perspective view of a small indoor model of the invention.

FIG. 2 is a perspective view of one of the cloth platforms shown above.

FIG. 3 is an enlarged detail thereof so to illustrate the snap fasteners that support it.

FIG. 4 shows another design of cloth platform support consisting of eyelets on the cloth and hooks on the frame.

FIG. 5 is a side view, partly in cross section, of a large commercial out-of-door model.

FIG. 6 is a detail of another out-of-door model in which the platforms can be lowered for purpose of seeding, hoeing or harvesting more conveniently and safely at ground level.

FIG. 7 is a cross section of another design of cloth platform, in which electric lights underneath serve to provide light for plants in a next lower cloth platform, the light also serving to heat and humidify water in the soil thereabove, so to create improved environment for the growing plants.

FIG. 8 shows the lamp of FIG. 7 above, and indicates a pan thereabove to catch some water which it heats and vaporizes.

FIG. 9 is a view of another design of the invention in which a cloth pot is held in on inner shell supported over an outer shell.

Referring now to the drawing in greater detail, and more particularly to FIGS. 1 through 4 thereof at this time, the reference numeral 10 represents a cloth farm according to the present invention, which is of indoor type. It includes a frame 11 that supports several tiers of cloth 12, one above the other, either by means of inter-connecting snap fasteners 13 on the frame and cloth corners, or by means of pegs 14 on frame hooking into grommet openings 15 along the cloth edges.

The cloth may be stitched so to form individual compartments 16 by means of cloth partitions 17 therebetween or simply by upward folds 18 supported over beams 19 of the frame. Soil 20 is placed on the supported cloth to a depth sufficient for growing the plants 21.

The model of cloth farm shown in FIG. 1 includes enclosing partitions 22 around sides thereof, which may comprise mirrors so to reflect the images of flowers growing therein for a more rich display. Outer sides of

2

partitions may be decorated with designs or paintings, as preferred.

Beneath a lowermost tier, a tank 23 serves to catch and hold the dripped water for re-use conservation. A spigot 24 is provided for draining water from the tank. The frame also encloses a bin 25 for extra soil and a bin 26 for tools, the bins being closable by hinged covers 27. The frame is supported upon wheels 28 so that the cloth farm can be moved between different areas of a house.

A nearby floor lamp 29 gives light to plants on the different tiers.

In FIG. 5 a cloth farm 30 is large so to be for outdoor use, and includes the above described cloths and frame for the soil and plants. In this design water to the uppermost tier is provided through watering system 31, in which a motor-driven pump 32 delivers water to sprinklers 33.

FIG. 3 also clearly shows that additional cloths 34 can be snapped to the underside of cloth 12 by means of snap fasteners 35 for increasing water retention in a tier.

In FIG. 6, an outdoor cloth farm 40 is the same as outdoor cloth farm 30 except that a mechanism 41 is included for each tier, so to lower the same to a ground level at time of harvesting so to be more convenient.

In FIGS. 7 and 8 illuminating lamps 42 secured to underside of a cloth, give light to plants in a tier therebelow. A pan 43 integral with the lamp frame serves to hold downward draining water in the soil, so that heat from the lamp therebelow heat the water so to humidify the soil in a warmed manner and thus promote better root growing conditions.

In FIG. 9 there is shown another design 44 of the invention that includes cloth pot 45 in an inner shell support frame 46 having sideward arms 47 placable in grooves 48 of an outer shell 49. Snap fasteners 50 are along a lower edge of the frame 46. The outer shell includes a sponge lining 51 and also includes locks 52 at bottom of grooves 48 so to lock the arms 47 therein. A saucer 49 is at the bottom of the outer shell, and a spigot 50 therebeneath serves to drain water out therefrom.

In the present invention, the food or flower production formula of  $D/R=M$ , applies wherein D equals a depth (of soil), R equals root length and M equals the multiplier Factor to determine the number of plantings possible for each type plant.

What is claimed as new is:

1. A plant cultivator comprising a cloth structure adapted to hold cultivating material for growing plants with means for varying retention of irrigating liquid in said cultivator in combination with means for supporting said structure in horizontal position at various elevations above a base surface wherein said structure includes a plurality of vertically spaced superimposed sections, first said means comprising removable cloth layers.

2. A cultivator as in claim 1 second said means comprise movable supports for each section, said supports being driven by a mechanism to position said sections at variable elevations, wherein said supports are mounted on vertical members.

3. A plant cultivator comprising a structure supporting moveable vertically spaced superimposed cloth layers, adapted to hold cultivating material for growing plants, wherein each layer comprises removeable sections.

4. A cultivator as in claim 3, wherein said structure further comprises movable supports for each layer, said supports being driven by a mechanism to position said layers at various elevations wherein said supports are mounted on vertical members.

\* \* \* \* \*





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER  
TXU 69-314

TX TXU


EFFECTIVE DATE OF REGISTRATION  
22 MAY 1981

(Month) (Day) (Year)

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE CONTINUATION SHEET (FORM TXCOM)  
PREVIOUS OR ALTERNATIVE

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE CONTINUATION SHEET (FORM 100-100)			
1 Title	TITLE OF THIS WORK: <b>UNITED STATES OF AMERICA</b> <b>WILSON RAY, (AKA) BORN 1900 IN NEW YORK</b> <b>CULTIVATION OF PLANTS, CLOTHES, JEWELRY, FISH, BODY FUR</b> <b>WEST INDIAN MUSIC IN ENGLAND</b> <b>WILSON RAY, (AKA) BORN 1900 IN NEW YORK</b>		PREVIOUS OR ALTERNATIVE TITLES: <b>LIFE, GROW NEW YORK</b>
	If a periodical or serial give Vol. No. Issue Date <b>WILSON RAY, (AKA) BORN 1900 IN NEW YORK</b>		PUBLICATION AS A CONTRIBUTION: (If this work was published as a contribution to a periodical, serial, or collection: give information about the collective work in which the contribution appeared.) <b>PRODUCTION FILM MAGAZINE</b>
Title of Collective Work:		Vol. No. Date	Pages

Title of Collective Work		<p><b>IMPORTANT:</b> Under the law, the "author" of a "work made for hire" is generally the employer, not the employee. If any part of this work was "made for hire," check "Yes" in the space provided. Give the employer, or other person for whom the work was prepared as "Author" of this part, and leave the space for dates blank.</p>	
<p><b>2</b></p> <p>Author(s)</p>	<p><b>1</b></p>	<p><b>NAME OF AUTHOR:</b> <u>PETER CHARLES KOPER</u></p> <p>Was this author's contribution to the work a "work made for hire?" Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>AUTHOR'S NATIONALITY OR DOMICILE:</b></p> <p>Citizen of <u>U.S.A.</u> or Domiciled in <u>U.S.A.</u></p> <p>(Name of Country) (Name of Country)</p> <p><b>AUTHOR OF:</b> (Briefly describe nature of this author's contribution)</p> <p><u>Economic Scientific</u></p>	<p><b>DATES OF BIRTH AND DEATH:</b></p> <p>Born <u>6/1/53</u> Died <input type="checkbox"/></p> <p>(Year) (Year)</p> <p><b>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</b></p> <p>Anonymous? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Pseudonymous? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If the answer to either of these questions is "Yes," see detailed instructions attached.</p>
	<p><b>2</b></p>	<p><b>NAME OF AUTHOR:</b></p> <p>Was this author's contribution to the work a "work made for hire?" Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>AUTHOR'S NATIONALITY OR DOMICILE:</b></p> <p>Citizen of <input type="checkbox"/> or Domiciled in <input type="checkbox"/></p> <p>(Name of Country) (Name of Country)</p> <p><b>AUTHOR OF:</b> (Briefly describe nature of this author's contribution)</p>	<p><b>DATES OF BIRTH AND DEATH:</b></p> <p>Born <input type="checkbox"/> Died <input type="checkbox"/></p> <p>(Year) (Year)</p> <p><b>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</b></p> <p>Anonymous? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Pseudonymous? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If the answer to either of these questions is "Yes," see detailed instructions attached.</p>
	<p><b>3</b></p>	<p><b>NAME OF AUTHOR:</b></p> <p>Was this author's contribution to the work a "work made for hire?" Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>AUTHOR'S NATIONALITY OR DOMICILE:</b></p> <p>Citizen of <input type="checkbox"/> or Domiciled in <input type="checkbox"/></p> <p>(Name of Country) (Name of Country)</p> <p><b>AUTHOR OF:</b> (Briefly describe nature of this author's contribution)</p>	<p><b>DATES OF BIRTH AND DEATH:</b></p> <p>Born <input type="checkbox"/> Died <input type="checkbox"/></p> <p>(Year) (Year)</p> <p><b>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</b></p> <p>Anonymous? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Pseudonymous? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If the answer to either of these questions is "Yes," see detailed instructions attached.</p>

 <b>Creation and Publication</b>	<b>YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED:</b>  Year <u>1980</u>	<b>DATE AND NATION OF FIRST PUBLICATION:</b>  Date _____ (Month) _____ (Day) _____ (Year) Nation _____ (Name of Country) (Complete this block ONLY if this work has been published.)
	(This information must be given in all cases.)	

NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S):  
 PETER CHARLES ROPER  
 451 East 24th Street  
 Bronx, New York 10467

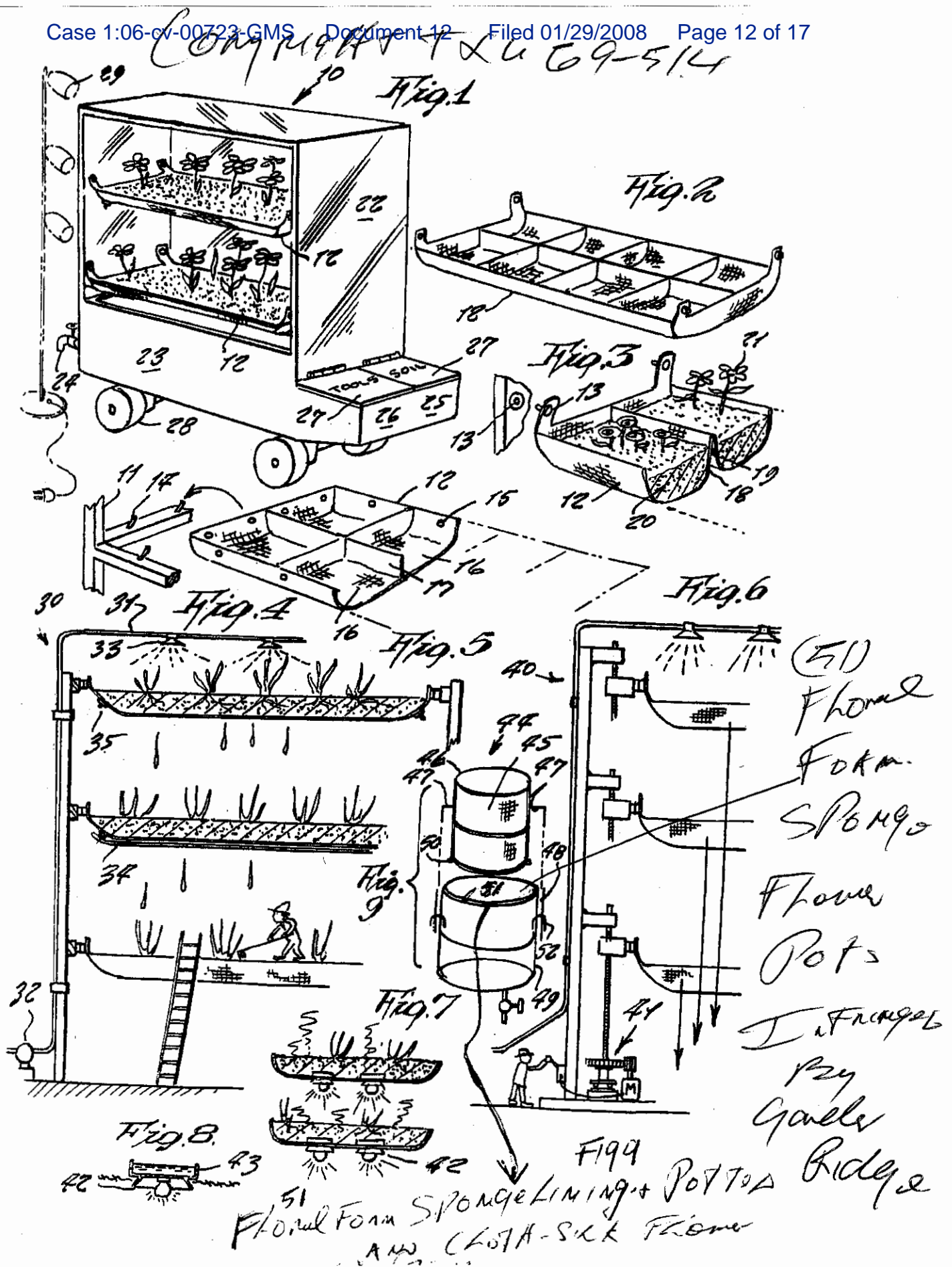
TRANSFER: (If the copyright claimant(s) named here in space 4, are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.)

\* Complete all applicable spaces (numbers 5-11) on the reverse side of this page.  
\* Follow detailed instructions attached. \* Sign the form at line 10-

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Printed in the U.S.A.

EXHIBIT 2 Page 21





## BUSINESSES ALPHABETICALLY

\*Frank Etter Sec VP  
\*Sharon Harkrader Tr  
\*Pam Donvia Pers

D-U-N-S 06-106-4713  
**GARD PRODUCTS INC (IL)**  
250 Williams St, Carpentersville, IL 60110-1848  
Tel (847) 836-7700 Founded/Ownership 1963  
Sales 10.1MM Emp 65  
SIC 2879 Agricultural chemicals, nec.  
Howard Klehm Sr Pr VP  
\*Nancy S Klehm Sec Tr  
Bill Bilier VP Sls  
Jim Kelly VP Mgr  
Sue Carsello Pur

D-U-N-S 78-802-1483  
**GARD ROGARD INC**  
250 Williams St, Carpentersville, IL 60110-1848  
Tel (847) 836-7700 Founded/Ownership 1991  
Sales 12.8MM Emp 69  
Bank Union National Bank & Trust Co of Elgin  
Inc, Elgin, IL  
SIC 2879 Agricultural chemicals, nec.  
Howard Klehm Sr Pr VP  
\*Nancy Klehm Sec  
Bill Bilier VP  
Sue Carsello Pur Agt

D-U-N-S 00-723-6946  
**GARD-N-WISE DISTRIBUTORS INC (KS)**  
1515 E 29th St N, Wichita, KS 67219-4129  
Tel (316) 838-1451 Founded/Ownership 1924, 1958  
Sales 17.5MM Emp 44  
SIC 5191 Garden supplies, whl.  
Robert S Wise Ch Bd  
\*Stephen T Wise Pr  
\*Marc Wise Tr  
\*David Scott Wise VP

D-U-N-S 00-921-9684  
**GARDCO MANUFACTURING INC (CA)**  
THOMAS OUTDOOR LIGHTING  
(Suby of THOMAS INDUSTRIES INC) ★  
2661 Alvarado St, San Leandro, CA 94577-4319  
Tel (510) 357-6900 Founded/Ownership 1961, 1984  
Sales 21.2MM Emp 200  
Bank Bank of America NA, Atlanta, GA  
SIC 3648 Outdoor lighting equipment; Street  
lighting fixtures; Airport lighting fixtures; runway  
approach, taxi, or ramp; Area and sports  
luminaries.  
\*Timothy C Brown Pr  
Robert Ferrando Cont  
Dave Stumler Cont  
William T Gendron CM

D-U-N-S 01-271-8854  
**GARDEN AUTO CORP (NY)**  
GARDEN JEEP-EAGLE  
283 N Franklin St, Hempstead, NY 11550-1310  
Tel (516) 483-2700 Founded/Ownership 1957, 1983  
Sales 17MM Emp 50  
Bank Chase Manhattan Bank, Melville, NY  
SIC 5511 Automobiles, new and used, ret.  
John Burns Pr  
Clare Wessel Cont  
Tom Cluff Fin  
Alex Andretti Mktg Sls  
Ricki Buhrig Prs

D-U-N-S 60-962-7302  
**GARDEN BOTANIK INC (WA)**  
8624 154th Ave NE, Redmond, WA 98052-3556  
Tel (425) 881-9603 Founded/Ownership 1989  
Sales 102MM Emp 1,325  
Tel Sym GBOT Exch OTC  
Bank Bank of America NA, Atlanta, GA  
Acct Arthur Andersen LLP  
SIC 5999 5961 2844 Toiletries, cosmetics, and  
perfumes, ret; Cosmetics, ret; Perfumes and  
cosmetics, ret; Toilet preparations, ret; Cosmetics  
and perfumes, mail order, ret; Perfumes, cos-  
metics and other toilet preparations; Cosmetic  
preparations; Perfumes and cosmetics.  
Alec Jensen Pr CEO  
\*George M Newman CFO VP  
\*John A Carruto VP  
\*Jeffrey M Hare VP  
Board of Directors: Victor Fandel, Gerald R Gal-  
lagher, Kern L Gillette, Michael W Luce, William  
B Randall, Dale J Vogel.

**GARDEN CAFE**  
See OLD FASHIONED ENTERPRISES INC

**GARDEN CAFE CLOCK TOWER**  
See PERK GROUP LTD

**GARDEN CASH & CARRY**  
See CHARCAR CO

**GARDEN CITY CASINO & REST**  
See GARDEN CITY INC

D-U-N-S 00-694-2634  
**GARDEN CITY CO-OP INC (KS)**  
166 N 6th St, Garden City, KS 67846-5545  
Tel (316) 275-6161 Founded/Ownership 1919  
Sales 67.7MM Emp 150  
Acct Uniburg & Vogel  
SIC 5151 5172 5541 5411 Grains, whl;  
Feed, whl; Seeds: field, garden, and flower, whl;  
Fertilizer and fertilizer materials, whl; Chemicals,  
agricultural, whl; Petroleum products, nec, whl;  
Filling stations, gasoline, ret; Truck stops, ret;  
Convenience stores, ret.  
John Osborne Pr CEO  
Barry Jones

D-U-N-S 93-903-2322  
**GARDEN CITY FEED YARD LLC**  
1805 W Annie Scheer Rd, Garden City, KS 67846-  
8905  
Tel (316) 275-4191 Founded/Ownership 1994  
Sales 16.3MM Emp 30  
Accts Wilson Haag & Co PC  
SIC 0211 Beef cattle feedlots.  
Odessa Lovin Sec Tr  
\*Larry Bilberry Mgr

D-U-N-S 87-716-5860  
**GARDEN CITY GROUP INC**  
1101 Stewart Ave Ste 103, Garden City, NY 11530-4808  
Tel (516) 794-5100 Founded/Ownership 1994  
Sales 15MM Emp 75  
SIC 8111 Specialized legal services.  
Michael J Sheridan Ch Bd  
\*G Peter Buchband Pr  
Luis Schnipper Sr VP  
Andrew Sommer VP  
Arun Rao Cont  
Anne Fiore Pers Dir  
Karen Wenzel Off Mgr  
Board of Directors: Peter Callahan.

D-U-N-S 08-955-5507  
**GARDEN CITY GROUP INC**  
101 Stewart Ave, Garden City, NY 11530-2341  
Tel (516) 465-5169 Founded/Ownership 1999  
Sales 10.8MM Emp 99  
SIC 8111 Legal services.  
David Isaac VP

**GARDEN CITY HILTON INN**  
See MINTER-WILSON DRILLING CO INC

D-U-N-S 07-278-0002  
**GARDEN CITY HOSPITAL OSTEOPATHIC  
INC (MI)**  
6245 Inkster Rd, Garden City, MI 48135-4001  
Tel (734) 431-3300 Founded/Ownership 1942, 1986  
Sales 112MM Emp 1,200  
Accts Ernst & Young LLP  
SIC 8062 General medical and surgical hospitals.  
Gary R Ley Pr  
\*Christopher Palazzolo CFO VP

D-U-N-S 10-683-2157  
**GARDEN CITY HOTEL INC (NY)**  
45 7th St, Garden City, NY 11530-2807  
Tel (516) 747-3000 Founded/Ownership 1982  
Sales 16MM Emp 475  
Bank Fleet Bank NA Inc, Jericho, NY  
SIC 7011 Hotels.  
Myron Nelkin Ch Bd  
\*Catherine Nelkin Pr  
Gary Stahl Cont

D-U-N-S 01-092-0817  
**GARDEN CITY INC (CA)**  
GARDEN CITY CASINO & REST  
360 Saratoga Ave, San Jose, CA 95129-1324  
Tel (408) 244-3333 Founded/Ownership 1974, 1993  
Sales 25.7MM Emp 750  
SIC 7999 Card rooms.  
Eli Reinhard Pr  
Sharon Bass Lighterink CFO  
Sheryl L Standridge Sec  
Michael Fletcher VP  
Louie Tersint VP  
Ron Sommerville Cont

D-U-N-S 87-841-1966  
**GARDEN HOMES INC (CA)**  
D M G ASSOCIATES  
(Suby of GARDEN HOMES INC)  
7668 Palmilla Dr Apt 1102, San Diego, CA 92122-  
5083  
Tel (858) 558-9573 Founded/Ownership 1992  
Sales 11.7MM Emp 95  
SIC 6532 6531 Subdividers and developers, nec;  
Real estate managers.  
Zygmunt Wilf Pr  
\*Stuart Posnock VP  
Terri Ferguson Acctnt

D-U-N-S 84-743-4248  
**GARDEN COMPANIES INC**  
6072 Shallowford Rd, Chattanooga, TN 37421-  
1611  
Tel (423) 499-4488 Founded/Ownership 1990  
Sales 38.1MM Emp 122  
SIC 5191 Seeds: field, garden, and flower, whl;  
Grass seed, whl.  
Michael C Moore Pr CEO  
Alan D Wadleigh CFO Tr  
Board of Directors: Fred Danforth, Jack O'mara,  
Rick Schreiber, Carl Stanton.

D-U-N-S 80-307-4012  
**GARDEN DESIGN GROUP INC**  
WILMOIT CONSTRUCTION  
11126 Shady Trl Ste 107, Dallas, TX 75229-4619  
Tel (972) 243-6467 Founded/Ownership 1992  
Sales 14.7MM Emp 140  
SIC 0781 0782 Landscape architects; Landscape  
planning services; Landscape contractors.  
Andrew K Haynes Pr  
\*Ken Coggins Sec  
\*Karen Smith VP

D-U-N-S 00-261-3037  
**GARDEN DISTRICT INVESTMENTS INC (LA)**  
COPELANDS OF NEW ORLEANS  
6400 Kingston Pike, Knoxville, TN 37919-4833  
Tel (423) 584-5255 Founded/Ownership 1997  
Sales 6.1MM Emp 280

D-U-N-S 84-064-6970  
**GARDEN FRESH FRUIT MARKET INC (NM)**  
300 Airport Rd, Albuquerque, NM 87121  
Tel (505) 833-5889 Founded/Ownership 1991  
Sales 10MM Emp 58  
Bank Citicorp Inc, Harrison, NY  
SIC 5431 Fruit and vegetable markets, ret.  
Robert Robert Sr Pr

**GARDEN FRESH SALAD**  
See GARDEN FRESH SALAD CO INC

D-U-N-S 05-602-1223  
**GARDEN FRESH SALAD CO INC (MA)**  
GARDEN FRESH SALAD  
15-20 Neng Prod Ctr, Chelsea, MA 02150  
Tel (617) 889-1580 Founded/Ownership 1966, 1970  
Sales 21.3MM Emp 20  
Bank BankBoston NA, Boston, MA  
SIC 5148 2099 Fruits, fresh, whl; Vegetables,  
fresh, whl; Cole slaw, in bulk.  
Ismalee D'Alleva Pr Tr  
\*Luigi D'Alleva VP  
Lisa Burke Cont

D-U-N-S 96-374-7191  
**GARDEN GATES LAWN & LANDSCAPE INC (MO)**  
14605 NW 45 Hwy, Kansas City, MO 64152-5185  
Tel (816) 891-6622 Founded/Ownership 1987  
Sales 10MM Emp 8  
SIC 0782 Lawn and garden services.  
Todd Walters Pr  
\*Bryan Walters VP

D-U-N-S 11-822-5978  
**GARDEN HOMES BY E L INC (IN)**  
17874 State Rd 23, South Bend, IN 46635-1658  
Tel (219) 277-3500 Founded/Ownership 1982  
Sales 15MM Emp 10  
SIC 1521 6552 1522 New construction, single-  
family houses; Land subdividers and developers,  
residential; Condominium construction.  
E Leroy Yoder Pr Tr  
\*Anthony G Yoder Sec VP  
Carol Neary Acctnt

**GARDEN ISLE TELECOMMUNICATION**  
See G FORCE LLC

**GARDEN JEEP-EAGLE**  
See GARDEN AUTO CORP

D-U-N-S 06-893-6020  
**GARDEN MANOR EXTENDED CARE CEN-  
TER INC (OH)**  
6898 Hamilton Middletown, Middletown, OH  
45044-7859  
Tel (513) 424-5321 Founded/Ownership 1950, 1967  
Sales 10.5MM Emp 250  
SIC 8051 Convalescent home with continuous  
nursing care.  
Sam Boyml Pr  
\*Rachel Boyml Tr  
\*Gideon Eldad VP  
Darlene Poe Cont  
Julie Crossley Pers

D-U-N-S 04-677-0306  
**GARDEN MATE PIPE & SUPPLY INC (CA)**  
6145 Kimball Ave, Chino, CA 91710-9175  
Tel (909) 597-1726 Founded/Ownership 1976  
Sales 12.6MM Emp 75  
SIC 2875 Potting soil, mixed.  
Alfonso J Chavez Pr  
Diane Lopez Acctnt

D-U-N-S 08-541-3961 EXP  
**GARDEN OF EATIN' INC (CA)**  
(Suby of HAIN FOOD GROUP INC) ★  
5300 Santa Monica Blvd, Los Angeles, CA 90029-  
1131  
Tel (310) 886-8200 Founded/Ownership 1971, 1998  
Sales 14MM Emp 25  
SIC 2096 2051 Corn chips and other corn-based  
snacks; Breads, rolls, and buns.  
Al H Jacobson Pr  
\*Lorraine Dunham Sec CM  
Allen L Coren Cont  
Ariel Rivero Oper Mgr  
Bruce Petersen Mktg Sls

D-U-N-S 62-153-7018  
**GARDEN PALM INC (CA)**  
3325 Manitou Ct, Mira Loma, CA 91752-3254  
Tel (909) 360-0250 Founded/Ownership 1990  
Sales 15MM Emp 50  
SIC 5083 Lawn and garden machinery and equip-  
ment, whl.  
Ching-Tun Hsu Pr  
Ivy Hsu CFO  
Susan Maestas Comp  
Tony Hsu GM  
Yolanda Archuleta Acctg Mgr

D-U-N-S 03-957-3720  
**GARDEN PARK COMMUNITY HOSPITAL  
L P (MS)**  
COLUMBIA GARDEN PARK HOSPITAL  
(Suby of COLUMBIA/HCA HEALTHCARE CORP) ★  
1520 Broad Ave, Gulfport, MS 39501-3601  
Tel (228) 864-4210 Founded/Ownership 1973, 1995  
Sales 13MM Emp 300  
SIC 8062 General medical and surgical hospitals.  
Tommy Frst MD Pr  
\*Jack Boverder CEO  
\*Dianne Tipton CFO  
\*William Peaks Admr  
Dean Miller Dir

D-U-N-S 00-832-7322  
**GARDEN PRINTS INC (CA)**  
2935 E 12th St, Los Angeles, CA 90023-3623  
Tel (323) 268-3478 Founded/Ownership 1958  
Sales 14.8MM Emp 250  
Bank Union Bank of California NA, San Francisco,  
CA  
SIC 2261 2392 Printing of cotton broadwoven  
fabrics; Tablecloths and table settings; Towels,  
dishcloths and dust cloths.  
Richard Saydah Pr  
\*John Saydah Tr VP

D-U-N-S 79-118-3106  
**GARDEN RIDGE CORP**  
19411 Atrium Pl Ste 170, Houston, TX 77084-  
6024  
Tel (281) 579-7901 Founded/Ownership 1979, 1992  
Sales 364MM Emp 3,500  
Tr Sym GRDG Exch NMS  
Bank Mid-America Bank of Louisville & Trust Co,  
Louisville, KY  
Accts Arthur Andersen LLP  
SIC 5999 5719 5945 5947 5992 Artificial flowers,  
ret; Candle shops, ret; Picture frames, ready  
made, ret; Kitchenware, ret; Glassware, ret; Pic-  
tures, wall, ret; Pottery, ret; Hobby and craft sup-  
plies, ret; Arts and crafts supplies, ret; Party  
favors, ret; Flowers, fresh, ret.  
\*Armand Shapiro Ch Bd  
Paul Davies Pr CEO  
Jane L Arbutnot CFO Sec  
Gary W Ramsey Ex VP  
Kevin Rutherford Sr VP  
Norman M Brody VP  
Stephen C Fox VP  
David S Hensley VP  
Phyllis Cohen Hink VP  
Andy Musselman Cont  
Board of Directors: Terry S Boyce, Alyson Hen-  
ning, Ira Nelmark, Sam J Susser, Barbara S Tapp,  
H Whitney Wagner.

D-U-N-S 09-509-8778 IMP  
**GARDEN RIDGE POTTERY INC (TX)**  
(Suby of GARDEN RIDGE CORP) ★  
19411 Atrium Pl Ste 170, Houston, TX 77084-  
6024  
Tel (281) 579-7901 Founded/Ownership 1979, 1992  
Sales 304MM Emp 1,500  
SIC 5999 5719 5945 5947 5992 Artificial flowers,  
ret; Candle shops, ret; Picture frames, ready  
made, ret; Kitchenware, ret; Glassware, ret; Bed-  
dings and linens, wall, ret; Hobby  
and craft supplies, ret; Arts and crafts supplies,  
ret; Party favors, ret; Flowers, fresh, ret.  
Armand Shapiro Ch Bd  
\*Jack Lewis Pr COO  
\*Jane Arbutnot CFO  
\*Phyllis Cohen Hink VP  
Andy Musselman Cont

D-U-N-S 78-660-5758 EXP  
**GARDEN SATURN INC (NY)**  
SATURN OF HEMPSTEAD  
265 N Franklin St, Hempstead, NY 11550-1310  
Tel (516) 565-2400 Founded/Ownership 1992  
Sales 13MM Emp 33  
SIC 5521 5511 Used car dealers, ret; New and  
used car dealers, ret.  
John Burns Pr  
Donald Awe GM

**GARDEN SPOT AUTO AUCTION**  
See GARDEN SPOT EQUIPMENT AUCTION INC

D-U-N-S 04-388-0509  
**GARDEN SPOT EQUIPMENT AUCTION INC  
(PA)**  
GARDEN SPOT AUTO AUCTION  
1605 Apple St, Ephrata, PA 17522-1300  
Tel (717) 738-7900 Founded/Ownership 1962  
Sales 20.4MM Emp 80  
SIC 5012 Automobile auction, whl.  
Omar Landis Pr Sec  
Jay Garber GM

**GARDEN STATE AUTO PARK**  
See GARDEN STATE FORD INC

D-U-N-S 01-140-8325  
**GARDEN STATE AUTO PARK PONTIAC  
GMC TRUCK INC (NJ)**  
105 Hwy 36, Eatontown, NJ 07724-2509  
Tel (732) 542-7800 Founded/Ownership 1983  
Sales 27.7MM Emp 80  
Bank Summit Bank, Chatham, NJ  
SIC 5511 New and used car dealers, ret.  
John Schmeiz Pr

**GARDEN STATE CABLE TV**  
See GARDEN STATE CABLE VISION LP

D-U-N-S 61-476-1385  
**GARDEN STATE CABLE VISION LP**  
GARDEN STATE CABLE TV  
1250 Haddonfield Berlin R, Cherry Hill, NJ 08034-  
1401  
Tel (856) 354-1880 Founded/Ownership 1989, 1995  
Sales 114MM Emp 300  
Accts Arthur Andersen LLP  
SIC 4841 Cable television services.  
Brian W Earnshaw VP  
Patrick Mc Call Mgr  
Helene E Duphom VP Fin

D-U-N-S 07-513-6796  
**GARDEN STATE CAR RENTAL CORP (NJ)**  
BUDGET-RENT-A-CAR NEWARK  
Monorail Station D 2, Newark, NJ 07114  
Tel (973) 961-2990 Founded/Ownership 1973  
Sales 12MM Emp 105  
SIC 7514 Rent-a-car service.



# Garden Ridge



HOME DECOR SEASONAL KITCHEN, BED & BATH FLORAL & GREENERY BRIDAL & PARTY CRAFTS PATIO & POTTERY ART, MIRR

[Store Locator](#)

[Store Events](#)

[News](#)

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## News

### News Releases

April 15, 2005 - GARDEN RIDGE INCREASES COMP SALES IN MARCH; NEXT COURT HEARING SET FOR APRIL 28

March 30, 2005 - GARDEN RIDGE ANNOUNCES COURT APPROVAL OF DISCLOSURE STATEMENT

March 25, 2005 - GARDEN RIDGE INCREASES COMP SALES IN FEBRUARY; NEXT COURT HEARING SET FOR MARCH 29

Feb. 23, 2005 - GARDEN RIDGE INCREASES COMP. SALES IN JANUARY

Feb. 10, 2005 - GARDEN RIDGE FILES PLAN OF REORGANIZATION

Feb. 1, 2005 - GARDEN RIDGE ANNOUNCES AGREEMENT IN PRINCIPLE WITH KEY GROUPS ON TERMS OF REORGANIZATION PLAN

Jan. 19, 2005 - GARDEN RIDGE REPORTS APPROVAL OF DIP FINANCING; ADDITIONAL LEASE AMENDMENTS SIGNED

Jan. 13, 2005 - GARDEN RIDGE REPORTS COMP SALES INCREASE; OPERATING INCOME FOR DECEMBER

Dec. 23, 2004 - GARDEN RIDGE REPORTS DIP FINANCING EXTENSION AND EMERGENCE FINANCING COMMITMENT

Dec. 14, 2004 - GARDEN RIDGE REPORTS OPERATING INCOME FOR NOVEMBER; BANKRUPTCY COURT EXTENDS EXCLUSIVITY PERIOD FOR PLAN FILING

Nov. 16, 2004 - GARDEN RIDGE REPORTS IMPROVED MARGINS AND EARNINGS; LEASE NEGOTIATIONS NEARING COMPLETION

Sept. 30, 2004 - GARDEN RIDGE SIGNS MORE STORE LEASE AMENDMENTS; SEPTEMBER SALES UPDATE AND PROMOTIONS ANNOUNCED

Sept. 2, 2004 - GARDEN RIDGE RECORDS THIRD STRAIGHT MONTH OF SALES INCREASES

July 26, 2004 - DOUBLE-DIGIT INCREASE; HIGHEST IN FOUR YEARS; FINANCING SET FOR HOLIDAY BUYS

Garden Ridge - The Home Décor and Craft Marketplace

Page 1



HOME DECOR SEASONAL KITCHEN, BED & BATH FLORAL & GREENERY BRIDAL & PARTY CRAFTS PATIO & POTTERY ART, MIRR



Tips How To's Store Locator

## Floral & Greenery

The largest assortment of silk and dried floral, greenery all resides at Garden Ridge. Each season, beautiful new floral arrangements, or all the supplies you need to create your own masterpiece. If greenery you'll love our lush, low-maintenance silk tree silk plants. Adding a natural touch to your décor has been easier or more affordable!

### Savings This Week!

#### Spring is in the

Garden Ridge is the place for floral and greenery! 30% on all rose stems (reg. 1.99-6.99, sale shown). And save 25% on Garden® floral stems. Bring a touch of the spring home and for any special occasion have more floral and other store...all at prices that beat.

Prices good 2/9/2005

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EXHIBIT 919

(4-8)

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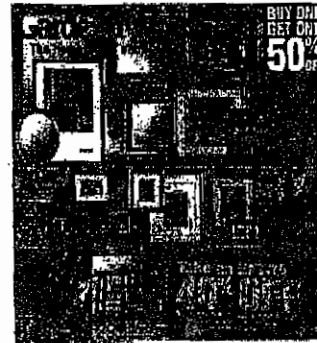
EXHIBIT 20 (C)

# Garden Ridge

THE HOME DECOR & CRAFT MARKETPLACE

HOME DECOR SEASONAL KITCHEN, BED & BATH FLORAL & GREENERY BRIDAL & PARTY CRAFTS PATIO & POTTERY ART, MIRR

This Week's Ad Store Locator Store Events Special



## Art, mirror BOG

It's a great time to update your walls and special photos. This week's "Buy One, Get One Off Second One" don't miss the selections and have for your Valentine's and celebration week's ad for a BOG. Prices good Feb 9 - 15, 2005.

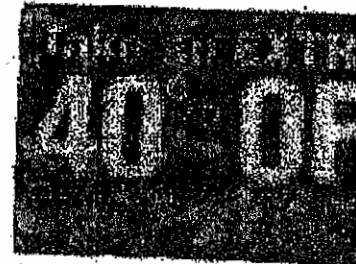
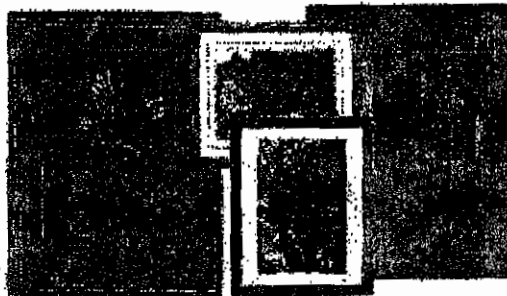
Experience Garden Ridge »

We do not offer online or catalog shopping. To browse through our huge assortment of home décor accents, please visit your local Garden Ridge store.

### Come Visit Our Stores!

### Featured This Week

### Featured This Week



### Classes & other events!

Check our website for more information.



Photo provided by Willow

### BOGOs in art, mirrors & frames!

This week, buy any mirror or framed art, and get 50% off a second piece of mirror or piece of framed art. And buy any frame, and get 50% off a second frame. Second item must be of equal or lesser value.

### Clearance sale going on now

We're clearing out huge sale merchandise to make room for new pottery, garden decor and more... week! Right now, save an extra already-reduced red-tag clearance.

Prices good Feb 9 - 15, 2005

Prices good Feb 9 - 15, 2005

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EXHIBIT 20

(4.9)



**PROOF OF SERVICE**STATE OF ~~Arizona~~ <sup>Arizona</sup>, COUNTY OF ~~Cochise~~ <sup>Cochise</sup>CASE NAME: *Peter Chandra Roper v. Garden Ridge Coy*CASE NUMBER *1:06-CV-723* (USDC - ~~Phoenix~~ <sup>Phoenix</sup>)

I am employed in the County of ~~Chattahoochee~~ <sup>Chattahoochee</sup>, State of ~~Georgia~~ <sup>Nevada</sup>. I am over the age of 18 and a party to the within action; my business address is:

[X] *3300 Location Blvd.  
# 10670 Las Vegas, NV 89102*

On *Jan 25*, 2007, I served the following document described as:

*Peter Chandra Roper Jury Request and Motion to  
Deny Garden Ridge Motion to Dismiss*  
in this action by transmitting a true copy thereof enclosed in a sealed envelope addressed as follows:

*Pauline Morgan  
Young Conway  
1000 West St. 17 Floor  
Wilmington  
DE 19801*

[X] BY MAIL As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at ~~California~~ <sup>California</sup> in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[ ] BY PERSONAL SERVICE I delivered such envelope by hand to the offices of the above-identified recipients.

[ ] FEDERAL I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on *Jan 25*, 2007 ~~California~~

*Peter Chandra Roper*